

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

JOSEPH JADCZAK and CATHERINE	)	
JADCZAK,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 07-431 (GMS)
	)	
HOMESITE INSURANCE COMPANY,	)	
	)	
Defendant.	)	

**DEFENDANT'S FIRST SET OF INTERROGATORIES  
DIRECTED TO PLAINTIFFS**

Pursuant to Federal Rule of Civil Procedure 33, and subject to the Definitions and Instructions set forth below, Defendant Homesite Insurance Company (“Homesite”), by and through its undersigned counsel, hereby requests that Plaintiffs Joseph Jadczak and Catherine Jadczak (“Plaintiffs”) respond, under oath, within thirty (30) days of service to Defendant’s First Set of Interrogatories as follows:

**DEFINITIONS**

1. The uniform definitions set forth in the Federal Rules and the Local Civil Rules of the United States District Court for the District of Delaware are incorporated by reference as if fully set forth herein.
2. “You” or “Your” shall mean plaintiffs Joseph and Catherine Jadczak and any of their employees, attorneys, agents or representatives and all other persons acting on their behalf.

**INSTRUCTIONS**

These instructions are not to be interpreted to limit, in any way, applicable instructions under the Federal Rules of Civil Procedure, and the instructions should be given the most liberal interpretations so as to provide for the broadest appropriate discovery as possible.

1. In responding to these Interrogatories, you are required to furnish all information available to you, including, but not limited to, information in the possession or control of your attorneys, experts, advisors, agents or associates.

2. If any information requested herein is claimed to be privileged or otherwise protected from discovery, you are requested to identify in writing, with particularity, the basis for such claim(s), and - in the case of any document withheld from production - to identify in writing consistent with the applicable Rules of Civil Procedure:
  - (1) its author;
  - (2) the recipients;
  - (3) the date of creation/receipt;
  - (4) its general nature and subject matter;
  - (5) its present location and custodian; and
  - (6) the basis upon which it is claimed to be privileged or otherwise protected from discovery or withheld from production.

3. You are requested and obligated to supplement your answers to these Interrogatories as additional information becomes available to you at any time during the pendency of this matter.

### **INTERROGATORIES**

#### **INTERROGATORY NO. 1**

Please identify any and all policies of insurance of any kind whatsoever that may provide coverage to you and/or any of your property, immovable or otherwise, on May 29, 2006. This Interrogatory specifically requires you to identify any and all policies providing any type of coverage, including homeowners' coverage, automobile coverage, aircraft coverage, umbrella coverage, excess coverage, etc.

A. Please state whether you have submitted any or all of your claims for damage identified in the complaint to any insurer other than Homesite. If your answer is anything other than "no," (a) identify each such insurer; (b) describe the status of your claim; and (c) if any such insurer has responded to your claim in writing, whether by acceptance of the claim, denial of the claim, or reservation of rights, identify the writing(s).

#### **INTERROGATORY NO. 2**

With regard to the total amount in United States currency that you claim Homesite failed to pay you, please set forth in detail (a) the total unpaid amount; (b) describe with specificity the method of computation thereof; (c) identify any and all documents pertaining to your answer to this interrogatory which you believe substantiate the dollar amount claimed.

**INTERROGATORY NO. 3**

Please state the name, address, current employer and telephone number of each and every person and/or entity you claim has information that would substantiate any of the claims or allegations made by you in your Petition, including experts. For each and every person and/or entity so identified, please provide a summary of the information you claim they have.

**INTERROGATORY NO. 4**

Please identify each and every person, including expert witnesses, that you may call as a witness at the trial of this matter.

**INTERROGATORY NO. 5**

Please state whether or not you have made any claims under any policies of insurance in the last five years. If your answer is in the affirmative, please describe each and every insurance claim you have made in the previous five years by stating the nature of the claim, the insurance company to which you submitted the claim, the nature of the loss, whether or not the claim was denied by the company, the amount you claimed and the amount paid by the insurance company.

**INTERROGATORY NO. 6**

State specifically each and every fact known to you or anyone acting on your behalf on which you base the allegation that Homesite failed to properly and/or fully adjust your claim.

- A. Set forth with particularity the identity of each and every writing or document on which you rely or intend to rely to support your allegation as set forth in the preceding interrogatory.
- B. Identify by name, address, and telephone number each and every person on whom you rely or intend to rely to support your allegation as set forth in the preceding interrogatory.

**INTERROGATORY NO. 7**

State specifically each and every fact known to you or anyone acting on your behalf on which you base the allegation that Homesite failed to properly and/or fully adjust your claim.

- A. Set forth with particularity the identity of each and every writing or document on which you rely or intend to rely to support your allegation as set forth in the preceding interrogatory.

B. Identify by name, address, and telephone number each and every person on whom you rely or intend to rely to support your allegation as set forth in the preceding interrogatory.

**INTERROGATORY NO. 8**

State specifically each and every fact known to you or anyone acting on your behalf on which you base the allegation that Homesite breached its contract with you.

A. Set forth with particularity the identity of each and every writing or document on which you rely or intend to rely to support your allegation as set forth in the preceding interrogatory.

B. Identify by name, address, and telephone number each and every person on whom you rely or intend to rely to support your allegation as set forth in the preceding interrogatory.

**INTERROGATORY NO. 9**

Please identify each and every exhibit you may use at the trial of this matter.

**INTERROGATORY NO. 10**

As you allege entitlement to statutory penalties and/or attorneys' fees, please produce a copy of your contract of employment and/or retainer agreement between you and your attorney.

**INTERROGATORY NO. 11**

Please identify each and every estimate you obtained regarding your losses that form the subject-matter of this litigation. For each estimate so identified, please provide the name of the person(s) who prepared it, the cost of preparation of the estimate, the estimated amount itself, the manner by which the estimated amount was calculated and the qualifications of the person(s) who prepared it.

**INTERROGATORY NO. 12**

Do you claim that that part of the residence premises where you reside (your house) was rendered unfit to live in by the May 29, 2006 fire? If so, please describe in detail how it was rendered unfit.

**INTERROGATORY NO. 13**

Please state the total amount of money that you allege Homesite has failed to pay you for your claim under Coverage D for Additional Living Expenses (ALE), as that term is defined in your Homesite insurance policy. Please itemize that amount and provide documentation thereof.

**INTERROGATORY NO. 14**

Please state whether or not you have repaired and/or replaced the damage you allege was caused by May 29, 2006 fire. If your answer is in the affirmative, please identify the person(s) who repaired and/or replaced the damage, the costs of such repairs, and the date(s) upon which said damage was repaired and/or replaced. Please identify all documents evidencing the repairs/replacement and the costs for same.

**INTERROGATORY NO. 15**

Please identify the year, make and model of the recreational vehicle ("RV") you claim was destroyed by the May 29, 2006 fire. Please state the value of the RV on May 29, 2006.

**INTERROGATORY NO. 16**

With regard to the RV you claim was destroyed by the May 29, 2006 fire, please state:

- a. whether it was insured on May 29, 2006 or any time in the two years prior;
- b. whether it was registered in any state on May 29, 2006 or any time in the two years prior;
- c. whether it bore tags on May 29, 2006 or any time in the two years prior;
- d. how often it was operated in the two years leading up to May 29, 2006;
- e. when it was last operated before May 29, 2006;
- f. whether you intended to operate it sometime after May 29, 2006;
- g. how it was used other than operating it in the two years leading up to May 29, 2006;
- h. how you intended to use it after May 29, 2006;
- i. whether it was connected to your home's electric, sewer or water systems.

**INTERROGATORY NO. 17**

Please identify by date, time, and method of contact each and every time you contacted Homesite, or were contacted by Homesite, at any time from May 29, 2006 to the present day. For each contact so identified, please state with whom you corresponded and/or spoke as well as a brief summary of the substance of your correspondence and/or conversation.

**INTERROGATORY NO. 18**

Please state any amounts you received from any other insurer for property and/or contents damages resulting from the May 29, 2006 fire.

**INTERROGATORY NO. 19**

Regarding your claim for property damage as a result of the May 29, 2006 fire, please state (a) the total amount of your actual loss sustained; (b) describe with specificity the method of computation thereof; (c) identify any and all documents pertaining to your answer to this interrogatory which you believe substantiate the dollar amount claimed.

**INTERROGATORY NO. 20**

State specifically each and every fact known to you or anyone acting on your behalf on which you base the allegation that Homesite acted in bad faith.

- A. Set forth with particularity the identity of each and every writing or document on which you rely or intend to rely to support your allegation as set forth in the preceding interrogatory.
- B. Identify by name, address, and telephone number each and every person on whom you rely or intend to rely to support your allegation as set forth in the preceding interrogatory.

**INTERROGATORY NO. 21**

State specifically each and every fact known to you or anyone acting on your behalf on which you base the allegation that Homesite violated Delaware's Consumer Fraud Act.

- A. Set forth with particularity the identity of each and every writing or document on which you rely or intend to rely to support your allegation as set forth in the preceding interrogatory.
- B. Identify by name, address, and telephone number each and every person on whom you rely or intend to rely to support your allegation as set forth in the preceding interrogatory.

**INTERROGATORY NO. 22**

State specifically each and every fact known to you or anyone acting on your behalf on which you base the allegation that Homesite acted negligently.

- A. Set forth with particularity the identity of each and every writing or document on which you rely or intend to rely to support your allegation as set forth in the preceding interrogatory.
- B. Identify by name, address, and telephone number each and every person on whom you rely or intend to rely to support your allegation as set forth in the preceding interrogatory.

**INTERROGATORY NO. 23**

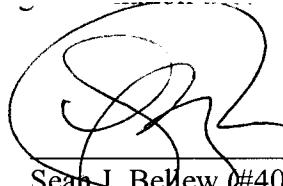
If you allege that Homesite acted outrageously, with evil motive or reckless indifference, state specifically each and every fact known to you or anyone acting on your behalf on which you base those allegations.

- A. Set forth with particularity the identity of each and every writing or document on which you rely or intend to rely to support your allegation as set forth in the preceding interrogatory.
- B. Identify by name, address, and telephone number each and every person on whom you rely or intend to rely to support your allegation as set forth in the preceding interrogatory.

**INTERROGATORY NO. 24**

Provide the identity of each person providing information used to answer these interrogatories

Dated: April 11, 2008



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